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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,524	10/17/2003	Atilano Alonso	AD30-01	2109

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EXAMINER

GALL, LLOYD A

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/688,524

Applicant(s)

ALONSO, ATILANO

Examiner

Lloyd A. Gall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 2-4 is/are rejected.
- 7) ☒ Claim(s) 1, 5 and 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

The disclosure is objected to because of the following informalities: At the top of page 2 of the specification, the status of the parent application should be updated. On page 6, line 18, "also" is misspelled. On page 14, lines 14 and 20, and other occurrences throughout the specification, reference numeral 31 is used to designate different structure. On page 18, line 18, the "slot" should be designated in the specification as well as in the drawings with a reference numeral to clarify what is regarded as the slot in the gear shield. On page 14, line 15, a reference numeral should be used in the description as well as in the drawings to clarify what is regarded as the "round flat contacting surface".

Appropriate correction is required.

The drawings are objected to because reference numeral 31 is used in the drawings to designate different structure. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "structure having a door jamb and a recess therein" of claim 1, lines 3-4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claims 1, 2, 4, 5 and 6 are objected to because of the following informalities: In claim 1, lines 4, and 13-15, it is not clear how the recess differs from the bolt hole and the claimed bolt aperture. Consistency should be maintained between this terminology. Also, in claim 1, line 13, a bolt receiving plate is claimed which is apparently mounted on the edge of the door. However, lines 15-16 claim the plate as being mounted on the door jamb. See also page 24, line 22 and any other occurrences of the claimed bolt receiving plate. On page 25, line 3, --receiving-- should follow "key" at the end of the line. On page 24, line 6, "a" should be deleted. On page 25, line 8, it is not clear what constitutes the claimed "lock hole". In claim 2, line 13, a handle is claimed, but the handle was previously claimed in claim 2, line 7. In claim 4, line 2, "devoid of a keyhole" is unclear, since claim 4 includes the subject matter of claim 2, which claim 2 clearly claims a keyhole. Further, no described embodiment appears to have been described where a keyhole is not present on the outside of the door. In claim 5, line 2, a handle shaft is claimed. However, the handle shaft was already claimed in claim 2, line 8. The structure claimed in claim 2, which includes the components shown in fig. 10 should be described in the written description. Also, claim 5, line 3 claims an interior housing, but claim 2 already calls for an interior housing. Consistency should be maintained. In claim 6, line 2, the bolt receiving plate should be clarified in claim 2 and claim 6 as to which plate is being referred to, the one on the edge of the door, or the one which is apparently mounted on the door jamb. Also, lines 4-5 of claim 6 claims a bolt and a supplemental bolt. Claim 2 already claims a bolt in claim 2, line 12. Accordingly, consistency should be maintained, such that a bolt is not introduced three times into the

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claims, when only two bolts exist. On page 27, line 1, the rod engages the supplemental bolt, and not the claimed bolt. See claim 6, lines 4-5 also. Reference numerals may be used in the claims to clarify what elements are being referred to in the claims.

Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Giardina et al.

In fig. 8, Giardina et al teaches a door jamb 22 with a recess to receive a bolt 114, 140, 136, 132, a bolt receiving plate 113 having screw mounting holes, a handle 146 and handle shaft having a passage 160 therein, a key operated tumbler lock 178 in a lock hole of the door, a bolt operating mechanism including an engagement plate 176, a spring 164, a pinion gear 124, a gear shield 112, and a handle plate 158.

Claims 2-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Soloviff et al.

Soloviff et al teaches in fig. 4 a bolt receiving plate with screw holes 44 in fig. 2, a handle 36 having a handle shaft 76 in fig. 12, key operated tumblers (column 6, line 7), a lock hole extending through the door, a bolt operating mechanism including an

engagement plate 52, a spring 70, a gear 94, a gear shield defined by the housing components 40 which surround the internal components in fig. 4, and a handle plate 48 in fig. 9, and a handle plate biasing spring 100.

Provided all of the above objections to claims 5 and 6 are overcome, claims 5 and 6 would be objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Provided all of the above objections to claim 1 are overcome, claim 1 would be allowable.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 703-308-0828. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LG LG
March 22, 2004


Lloyd A. Galt
Primary Examiner